

REMARKS

Applicant respectfully request that the Examiner change the attorney docket number from 5771-01-EMA to PC17351A.

The Abstract was amended, as requested, to comport with the proper format of an Abstract.

Claims 1 and 18 were amended, as requested by the Examiner. To facilitate prosecution of the above-captioned application, Claims 1 and 18 were further amended to delete subject matter related to gastrointestinal secretory disturbances. Applicants reserve the right to file a divisional application directed to subject matter canceled herein.

35 U.S.C. § 103(a) Rejection of Claims 1, 2, 12, 13, 17-19, 27 and 30.

The Examiner rejected Claims 1, 2, 12, 13, 17-19, 27 and 30 as unpatentable over Horwell et al (U.S. 6,194,437), stating that Horwell discloses methods for treating and/or preventing gastrointestinal disorders by administering to a patient an effective amount of a genus compound disclosed therein.

In an effort to expedite prosecution, Applicants amended Claims 1 and 18 to delete gastrointestinal subject matter. Thus, the rejection is now moot.

Double Patenting

The Examiner rejected Claims 1, 2, 12, 13, 17-19, 27 and 30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 15 of Horwell et al.

As stated above, the amendment of Claims 1 and 18 obviates the obviousness rejection, as well as the double patenting rejection.

CONCLUSION

In view of the foregoing comments and amendments, it is respectfully submitted that this application is in condition for allowance. A Notice of allowance is respectfully requested.

Respectfully submitted,

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